

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HECTOR MORGAN,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 07-720
)	
DAVID A. MARSH and WAYNE STORAGE)	
CO. T/A WAYNE MOVING & STORAGE)	
COMPANY, INC.)	
)	
Defendants.)	

PLAINTIFF'S FIRST SET OF INTERROGATORIES
DIRECTED TO DEFENDANTS

Pursuant to the provisions of Superior Court Civil Rule Number 33, Plaintiff hereby requests that Defendant Wayne Storage Company responds fully, in writing and under oath to the following written interrogatories. The information provided in the responses to each interrogatory should include information known to or available to defendant and her attorneys and staff. **These interrogatories are continuing in nature.**

DEFINITIONS

As used in these Interrogatories, the following terms will have the meaning set forth below:

- A. "Document" means all documents and writings of any nature whatsoever, and all non-identical copies or different versions of the same document (e.g., copies of a printed document with different hand written notations) in your possession, custody or control or to which you have access regardless of location. "Document" includes, but is not limited to agenda, agreements, analyses, announcements, articles, assignments, bills books, books of account, brochures, bulletins, calendar and diary entries, charts, checks, communications, computer output or input, contracts, correspondence data sheets, drawings, handwritten notes, inserts, instructions, invoices, indices, labels, magazines, magnetic tapes, manuals, maps, memoranda, minutes, motion picture film, notebooks,

notes notices, orders, packages, pamphlets, papers periodicals, pictures, price schedules, statements, statistical or information accumulations, studies, summaries, tabulations, tape recordings, telegrams, teletypes, video tapes, vouchers, working papers or any other written, recorded, transcribed, taped or photographic matter, however produced or reproduced.

- B. “And” or “or” as used herein are both conjunctive and disjunctive.
- C. “Person(s)” or “individual(s)” means any natural person, corporation, partnership, proprietorship, association, organization or group.
- D. “Defendant” for the purpose of this Interrogatories shall mean Wayne Storage Company (“Wayne Storage”)
- E. “Identify” when used in connection with a natural person means to state the person’s full name, present or last known address, present or last known telephone number, the name and address of the person’s present or last known employer and social security number. The term “Identify” when used in connection with a legal entity means to state its legal name, address and telephone number. The term “Identify” when used in connection with a document or records shall mean identification sufficient to enable a party to make specific demand for production.
- F. The definition for the term "occurrence" refers to the incident which is the subject of the Complaint.
- G. “Plaintiff” for the purpose of this Interrogatories shall mean Hector Morgan.
- H. The definition of "you" or "your" is Defendant Wayne Storage Company.

INTERROGATORIES

1. Please identify yourself fully, giving your full name, residence, business address, and occupation.

If such person is a corporation or other business entity, the full name of the corporation or other entity and the address of its principle place of business.

ANSWER:

2. Please identify each and every person known to you who might have knowledge of the occurrence (including facts supporting denials set forth in the Answer) and state:

- (a) the name, address and physical description of each;
- (b) how such person gained the knowledge of the occurrence;
- (c) the substance of all information or knowledge about the occurrence known to each such witness;
- (d) whether or not each such witness gave any statement or account, either oral or in writing, of his or her knowledge of the occurrence, and if so, give the substance of each such statement.

ANSWER:

3. Describe in detail your version of how the occurrence alleged in the complaint occurred.

ANSWER:

4. Give a brief description of any liability insurance policy, including any excess insurance policy, which you had in effect on the date of the incident which is the subject of this litigation, stating the name and address of all companies providing the insurance and the amounts of coverage.

ANSWER:

5. Has Defendant David A. Marsh ever been the defendant in any other litigation in which a plaintiff was allegedly injured as a result of his negligence?

ANSWER:

6. If your answer to the preceding interrogatory is in the affirmative, please state:

- (a) The name of the plaintiff or plaintiffs of the litigation;
- (b) the date of the commencement of suit;
- (c) the final outcome of the litigation;
- (d) the subject of the litigation;
- (e) the name and address of the attorney who represented you in the litigation.

ANSWER

7. State the name and present or last known address of persons who have been contacted, interviewed or interrogated on your behalf, either before or after commencement of suit, concerning the facts alleged in the pleadings and the subject of this action.

ANSWER:

8. State in detail the facts upon which each affirmative defense of the answer is based.

ANSWER:

9. If you claim that this was an unavoidable accident, state your reasons in detail.

ANSWER:

10. State whether any person was charged with a violation of any law as a result of this accident, and if so, state:

- (a) the name and address of the person charged;
- (b) the nature of the charge, specifying the statutory reference;
- (c) the final disposition of said charge (e.g., guilty plea, conviction after trial, dismissal, etc.)

ANSWER:

11. Please state whether liability of the defendants will be contested and if so, the facts upon which the defendant will rely at trial to disprove plaintiff's theory of the defendant's liability, and as to each such fact, please state the name and last known address of the person or persons who will testify, and the documents upon which the defendant will rely.

ANSWER:

/s/ Bruce L. Hudson
Bar I.D. # 1003
Law Office of Bruce L Hudson
800 King Street, Suite 302
Wilmington, DE 19801
Attorney for Plaintiff

Dated: May 16, 2008

CERTIFICATE OF SERVICE

I, Bruce L. Hudson, Esq., hereby certify that on this 16th day of May, 2008, Plaintiff's First Set of Interrogatories Directed to Defendants was served upon Delia Clark, Esq., via U.S. Mail and electronic filing.

By: /s/ Bruce L. Hudson
Bruce L. Hudson. Esq.
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Attorney for Plaintiff